PATENT
ATTORNEY DOCKET NO. 047255-5004-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David W. JOHNSON *et al.*   )
)
Application No.: 10/698,424   )   Group Art Unit: 1632
)
Filed: November 3, 2003   )   Examiner: Unassigned
)
For: ALFALFA PLANTS HAVING IMPROVED   )
    STANDABILITY AND/OR FAST RECOVERY   )
    AFTER HARVEST AND METHODS FOR   )
    PRODUCING SAME   )

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the
Examiner the documents listed on the attached PTO-1449. This Information Disclosure
Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a
first Office Action on the merits for the above-referenced application. Accordingly, Applicants
do not believe a fee is due for filing this Information Disclosure Statement.

Copies of the listed documents are attached. Applicant respectfully requests that the
Examiner consider the listed documents and evidence that consideration by making appropriate
notations on the attached form.

This submission does not represent that a search has been made or that no better art exists
and does not constitute an admission that each or all of the listed documents are material or
constitute "prior art." If the examiner applies a document as "prior art" against any claim in the
application and Applicants determine that the cited document does not constitute "prior art"
under United States law, Applicants reserve the right to present to the office the relevant facts
and law regarding the appropriate status of such document.

1-WA/2266357.1

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.
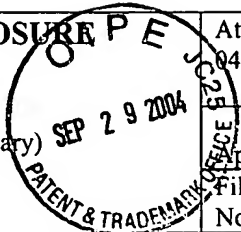
Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **September 29, 2004**
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Respectfully submitted
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INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

PTO Form 1449

Attorney Docket No. 047255-5004-US	Parent Application No. **10/698,424**
Applicants: David W. JOHNSON *et al.*	
Filing Date: November 3, 2003	Group Art Unit: 1632

(stamp: SEP 2 9 2004 — PATENT & TRADEMARK)

U.S. PATENT DOCUMENTS

*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Sub Class	Translation Yes	No

OTHER DOCUMENTS

	1.	Kalu *et al.*, "Morphological stage of development as a predictor of Alfalfa herbage quality" Crop Science, Vol. 23, 1167-1172, December 1983
	2.	Kalu *et al.*, "Quantifying morphological development of Alfalfa for studies of herbage quality" Crop Science, Vol. 21, 267-271 (March-April 1981)
	3.	Barnes et al., Alfalfa germplasm in the United States: Genetic vulnerability, use, improvement, and maintenance. USDA Tech. Bull. 1571, 21 pages (1977)

Examiner:	Date Considered:

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.